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MONTANA LEGISLATIVE HISTORY

Chapter 470 ~~10~~ 2001

Bill H _____ S 264 Original bill & history ☒ C

H. Committee on Taxation

Hearing Date(s) 3-22 ☒ C

_____ C

_____ C

_____ C

Date Out _____ C

S. Committee on Taxation

Hearing Date(s) 1-31 ☒ C

2-13 ☒ C

_____ C

_____ C

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____

Report _____

1/23	Fiscal Note Signed		
1/23	Fiscal Note Printed		
2/12	Hearing		
2/12	Committee Executive Action--Bill Passed	7	0
2/12	Committee Report--Bill Passed		
2/13	2nd Reading Passed	40	7
2/14	3rd Reading Passed	44	6
	Transmitted to House		
3/01	Referred to Taxation		
3/22	Hearing		
3/23	Committee Executive Action--Bill Concurred as Amended	18	2
3/23	Committee Report--Bill Concurred as Amended		
4/10	2nd Reading Concurred	94	6
4/11	3rd Reading Concurred	94	6
	Returned to Senate with Amendments		
4/12	2nd Reading House Amendments Concurred on Voice Vote	49	0
4/13	3rd Reading Passed as Amended by House	48	1
4/13	Sent to Enrolling		
4/16	Returned from Enrolling		
4/17	Signed by President		
4/17	Signed by Speaker		
4/20	Transmitted to Governor		
4/30	Signed by Governor		
4/30	Chapter Number Assigned		
	Chapter Number 469		
	Effective Date: 4/30/2001 - All Sections		

SB 264 Introduced by Waterman

LC1538 Drafter: Petesch

Alcohol Taxes Used for Treatment in For-profit Facilities

1/17	Introduced		
1/17	First Reading		
1/17	Referred to Taxation		
1/31	Hearing		
2/13	Committee Executive Action--Bill Passed as Amended	9	0
2/14	Committee Report--Bill Passed as Amended		
2/16	2nd Reading Passed on Voice Vote	48	0
2/17	3rd Reading Passed	46	2
	Transmitted to House		
3/01	Referred to Taxation		
3/22	Hearing		
3/22	Committee Executive Action--Bill Concurred as Amended	18	1
3/22	Committee Report--Bill Concurred as Amended		
4/09	2nd Reading Concurred	97	1
4/10	3rd Reading Concurred	100	0
	Returned to Senate with Amendments		
4/12	2nd Reading House Amendments Concurred on Voice Vote	48	1
4/13	3rd Reading Passed as Amended by House	49	0
4/13	Sent to Enrolling		
4/16	Returned from Enrolling		
4/17	Signed by President		
4/17	Signed by Speaker		
4/20	Transmitted to Governor		
4/30	Signed by Governor		
4/30	Chapter Number Assigned		
	Chapter Number 470		
	Effective Date: 4/30/2001 - All Sections		

SENATE BILL NO. 264
INTRODUCED BY M. WATERMAN

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ALCOHOL TAXES TO BE USED TO FUND PRIVATE, FOR PROFIT CHEMICAL DEPENDENCY TREATMENT PROGRAMS; AMENDING SECTIONS 53-24-108 AND 53-24-206, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-24-108, MCA, is amended to read:

"53-24-108. Use of funds generated by taxation on alcoholic beverages. (1) Revenue generated by 16-1-404, 16-1-406, and 16-1-411 to state-approved private, ~~nonprofit~~ or public programs whose function is the treatment, rehabilitation, and prevention of alcoholism may be distributed in either of the following manners:

(a) as payment of fees for alcoholism services provided by state-approved private, ~~nonprofit~~ or public alcoholism programs and licensed hospitals for detoxification services; or

(b) as grants to state-approved private, ~~nonprofit~~ or public alcoholism programs.

~~(2) State-approved private chemical programs organized for profit are not eligible for revenue generated by 16-1-404, 16-1-406, and 16-1-411.~~

~~(3)~~(2) A person operating a state-approved alcoholism program may not be required to provide matching funds as a condition of receiving a grant under subsection (1).

~~(4)~~(3) In addition to funding received under this section, a person operating a state-approved alcoholism program may accept gifts, bequests, or the donation of services or money for the treatment, rehabilitation, or prevention of alcoholism.

~~(5)~~(4) A person receiving funding under this section to support operation of a state-approved alcoholism program may not refuse alcoholism treatment, rehabilitation, or prevention services to a person solely because of that person's inability to pay for those services.

~~(6)~~(5) A grant made under this section is subject to the following conditions:

(a) The grant application must contain an estimate of all program income, including income from earned fees, gifts, bequests, donations, and grants from other than state sources during the period for which grant support is sought.

(b) Whenever, during the period of grant support, program income exceeds the amount estimated in the grant application, the amount of the excess must be reported to the grantor.

(c) The excess must be used by the grantee under the terms of the grant in accordance with one or a combination of the following options:

(i) use for any purpose that furthers the objectives of the legislation under which the grant was made; or

(ii) to allow program growth through the expansion of services or for capital expenditures necessary to improve facilities where services are provided.

~~(7)(6)~~ Revenue generated by 16-1-404, 16-1-406, and 16-1-411 for the treatment, rehabilitation, and prevention of alcoholism that has not been encumbered for those purposes by the counties of Montana or the department must be returned to the state special revenue fund for the treatment, rehabilitation, and prevention of alcoholism within 30 days after the close of each fiscal year and must be distributed by the department the following year as provided in 53-24-206(3)(b)."

Section 2. Section 53-24-206, MCA, is amended to read:

"53-24-206. Administration of financial assistance. (1) The department may apply for and receive grants, allotments, or allocations of funds or other assistance for purposes pertaining to the problems of chemical dependency or related social problems under laws and rules of the United States, any other state, or any private organization.

(2) The department may cooperate with any other government agency or private organization in programs on chemical dependency or related social problems. In carrying out cooperative programs, the department may make grants of financial assistance to government agencies and private organizations under terms and conditions agreed upon.

(3) (a) In administering proceeds derived from the liquor license tax, the beer license tax, or the wine tax, the department shall distribute those funds appropriated by the legislature. Money that is appropriated for distribution to approved private, ~~nonprofit~~ or public programs on a discretionary basis ~~shall~~ must be distributed to those programs that can demonstrate that:

(i) the program is achieving the goals and objectives mutually agreed upon by the program and the department; and

(ii) the receipt of additional funds would be justified.

(b) The remainder of the proceeds ~~shall~~ must be distributed to the counties for use by approved

private, ~~nonprofit~~ or public programs. The distribution of these proceeds is statutorily appropriated as provided in 17-7-502 and must be distributed in the following manner:

(i) Eighty-five percent ~~shall~~ must be allocated according to the proportion of each county's population to the state's population according to the most recent United States census.

(ii) Fifteen percent ~~shall~~ must be allocated according to the proportion of the county's land area to the state's land area.

(c) Money distributed under subsection (3) may only be used for purposes pertaining to the problems of alcoholism."

NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2001.

- END -

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN BOB DEPRATU**, on January 31, 2001 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bob DePratu, Chairman (R)
Sen. Alvin Ellis Jr., Vice Chairman (R)
Sen. John C. Bohlinger (R)
Sen. Mack Cole (R)
Sen. Pete Ekegren (R)
Sen. Jon Ellingson (D)
Sen. Bill Glaser (R)
Sen. Dan Harrington (D)
Sen. Emily Stonington (D)

Members Excused: None.

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Deb Thompson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Senate Bill 129, 1/22/2001;
Senate Bill 264, 1/22/2001
Executive Action: Senate Bill 127 Tabled 5-4
Senate Bill 220 Hold
Presentation on General Fund Status and Impact of
Legislation by Terry Johnson, Legislative Fiscal Division

HEARING ON SENATE BILL 129

Sponsor: SENATOR DALE BERRY, SD 30, Bitterroot Valley

SENATOR COLE MOVED TO TABLE THE BILL. The vote was 5-4, roll call, in favor of the table motion. {Tape : 1; Side : B; Approx. Time Counter : 0 - 3}

HEARING ON SENATE BILL 264

Sponsor: SENATOR MIGNON WATERMAN, SD 26, Helena

Proponents: Roland Mena, DPHHS; Kristi Blazer, Rimrock Foundation

Opponents: None

Opening Statement by Sponsor: SENATOR WATERMAN said the bill would amend the statute to allow alcohol taxes to be used to fund for-profit as well as non-profit treatment programs. She presented an amendment that clarified the statute to say that these funds can be used to match Medicaid dollars. This will also allow funds to be used for individuals with co-occurring illnesses. EXHIBIT(tas25a03) {Tape : 1; Side : B; Approx. Time Counter : 3 - 7.8}

Proponents' Testimony: Roland Mena, representing the Department of Public Health and Human Services, Addictive and Mental Disorders Division, submitted written testimony.
EXHIBIT(tas25a04)

Kristi Blazer, representing the Rimrock Foundation, supported the bill. She discussed refusing treatment for a persons inability to pay. The concern was a need for some sort of assurance that a for-profit entity would also take on these types of people. The concern is the money has been generated by alcohol and been used for treatment of that problem. The fear is that the money would be used to shore up the mental health budget.

Opponents' Testimony: None

Questions from Committee Members and Responses: SENATOR ELLIS asked about the concerns regarding a Medicaid patient who was unable to pay. SENATOR WATERMAN replied this was current law and required. Now, this does not include Medicaid patients. Medicaid patients have the ability to pay through the state. If for-profits treat someone who does not have the ability to pay, this will apply to them. Both facilities would have to treat them. Medicaid is not an issue, since they pay.

SENATOR HARRINGTON asked about the reference to the shortfall in the mental health budget. SENATOR WATERMAN said the bill, with

the amendment, allowed for the co-occurring illnesses to be treated (See Amendment 4). She noted the state budget supplemental had recommended taking a portion of the alcohol tax to fund the supplemental for mental health. She had recommended language that would require the proposed funds be used for co-occurring illness. It would be a mistake to treat only mental illness.

SENATOR STONINGTON asked whether public treatment programs were required to accept anyone. **Mr. Mena** replied that state approved programs or private programs that receive public dollars cannot turn anyone away for their inability to pay. This language remains intact. However, very few private facilities receive these public dollars. The inability to pay turns into programs encouraging clients to pay on a sliding scale. The Medicaid billing is monitored through Consultec, the billing agent for the Department. He described other record keeping features. **{Tape : 1; Side : B; Approx. Time Counter : 7.8 - 27.3}**

SENATOR BOHLINGER asked how the match worked and the amount of dollars that were available for the treatment of people who suffered from the addiction of drugs and alcohol. **SENATOR WATERMAN** replied it was 23/77 match, based on the poverty level in the state. Now, these programs operate on 100% alcohol tax dollars. They treat everybody, including those who would be eligible for Medicaid. There is 10-15 percent of the entire population of Montana eligible for Medicaid. Providers could choose to serve more Medicaid clients or increase their rates for those providers. **{Tape : 1; Side : B; Approx. Time Counter : 27.3 - 30}**

Dan Anderson, from DPHHS, said there was a dramatic increase in funding for the overall chemical dependency program. **SENATOR BOHLINGER** requested additional information regarding allocation of alcohol tax for treatment. **EXHIBIT(tas25a05) {Tape : 2; Side : A; Approx. Time Counter : 0 - 1.9}**

Closing by Sponsor: **SENATOR WATERMAN** closed. She said she supported the Petesch amendment **EXHIBIT(tas25a06)**. She discussed the amendment prepared by Lee Heiman and supported #4. Telling people whether they are profit or non-profit, that they can't refuse treatment because of the inability to pay does not mandate that they have to go bankrupt serving people who cannot pay their bills. They can say they aren't taking any more patients. That is why there are compliance people. You can't just say you won't serve people who don't have money. There is a potential of an additional \$2 million dollars over the next three years in available funding. She pointed out Medicaid funds will help providers serve more people and increase provider rates. This

program is at the crisis level. This bill will increase the amount of money to address this serious problem. **{Tape : 2; Side : A; Approx. Time Counter : 1.9 - 11}**

EXECUTIVE ACTION ON SENATE BILL 220

SENATOR BOHLINGER MOVED DO PASS. He commented that this would piggyback a federal program established in the mid-70's. The program provided people an opportunity to receive a credit against the 7.5% withholding against their paycheck for social security. The working poor need that money today. Thirty four other states have adopted this program. This proposal would make 10% of the federal amount available. He felt the escalator feature would be excessive. He offered a conceptual amendment that would back off on the escalator. Presently, there are 66,000 working poor Montanans who claim the federal Earned Income Tax Credit. These filers would be allowed to take 10% to their credit. He felt this would be good public policy. **{Tape : 2; Side : A; Approx. Time Counter : 11 - 16.3}**

SENATOR ELLINGSON felt this was a great idea, but the cost was a concern. He said he was going to vote in favor of the bill. He asked that the bill could be held until another bill he was working on could be considered.

SENATOR EKEGREN said he was in favor of the bill as long as it stayed at 10%.

CHAIRMAN DEPRATU noted he was against the bill. He felt there was more need in the education area for funding and for nursing homes.

SENATOR BOHLINGER MOVED TO AMEND the bill to change the Montana Earned Income Tax Credit to 10% of the federal allowable credit. He pointed out there were no surplus funds but fixing it at 10% would be prudent. The question was called on the amendment. The motion **PASSED** unanimously.

SENATOR COLE MOVED TO HOLD THE BILL. He recommended the committee have a chance to look at the bill **SENATOR ELLINGSON** had mentioned that was similar. The motion **PASSED** unanimously.

LEGISLATIVE SERVICES PRESENTATION ON THE GENERAL FUND STATUS

Terry Johnson, representing the Legislative Fiscal Division, presented the general fund status to the committee. He

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN BOB DEPRATU**, on February 13, 2001 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bob DePratu, Chairman (R)
Sen. Alvin Ellis Jr., Vice Chairman (R)
Sen. John C. Bohlinger (R)
Sen. Mack Cole (R)
Sen. Pete Ekegren (R)
Sen. Jon Ellingson (D)
Sen. Bill Glaser (R)
Sen. Dan Harrington (D)
Sen. Emily Stonington (D)

Members Excused: None.

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Deb Thompson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Senate Bill 365, 1/31/2001;
Senate Bill 347, 1/31/2001;
Senate Bill 365, 2/1/2001
Executive Action: Senate Bill 264 Pass as
amended 9-0; Senate Bill 317
Pass 9-0; Senate Bill 346 Pass
as amended 9-0; Senate Bill
366 Table 7-2; Senate Bill 365
Table; Senate Bill 347 Table
Department of Revenue Presentation on
Telecommunication Excise Tax

Opponents' Testimony: Gordon Morris, MACO, was against the bill. He felt this would create technical problems for counties.

Questions from Committee Members and Responses: SENATOR STONINGTON pointed out there was no provision for interest and penalties.

Closing by Sponsor: SENATOR COBB closed.

EXECUTIVE ACTION ON SENATE BILL 264

Lee Heiman explained the amendment #26404. EXHIBIT(tas36a03) He said these amendments provided for matching Medicaid money for alcohol and chemical dependency. This also provided for the co-occurring mental illnesses and chemical dependency. This puts a cap on co-dependency of \$1.3 million a biennium. SENATOR BOHLINGER MOVED TO ADOPT THE AMENDMENT #26404. The question was called. The motion PASSED unanimously.

SENATOR ELLIS MOVED TO ADOPT AMENDMENT #026405.

EXHIBIT(tas36a04) Lee Heiman explained this references the co-occurring mental illness and chemical dependency section, originally put in by Senator Waterman. This allows those that were getting the extra money to continue at that same level. The question was called. The motion was ADOPTED 5-3.

SENATOR ELLIS MOVED THE BILL AS AMENDED. The motion PASSED unanimously. {Tape : 1; Side : B; Approx. Time Counter : 16 - 30}

EXECUTIVE ACTION ON SENATE BILL 317

SENATOR ELLIS MOVED DO PASS. SENATOR EKEGREN commented that he had talked to Mark Baker and thought Anheuser Busch was taking an unfair advantage over the small brewers. However, they were dropping their amendment regarding the storage depots. {Tape : 2; Side : A; Approx. Time Counter : 0 - 3.3}

SENATOR GLASER pointed out this would have a \$30 thousand dollar impact on cities and towns. SENATOR ELLIS said he could understand an excise tax on people who sell a lot of beer in the state of Montana. However, there is no justification for this heavy of a tax on these small business people who pay a lot of tax already in the form of personal property taxes and other business taxes.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN BOB STORY**, on March 22, 2001 at 8:00 A.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Bob Story, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Roger Somerville, Vice Chairman (R)
Rep. Joan Andersen (R)
Rep. Keith Bales (R)
Rep. Joe Balyeat (R)
Rep. Gary Branae (D)
Rep. Eileen Carney (D)
Rep. Larry Cyr (D)
Rep. Rick Dale (R)
Rep. Ronald Devlin (R)
Rep. John Esp (R)
Rep. Gary Forrester (D)
Rep. Daniel Fuchs (R)
Rep. Verdell Jackson (R)
Rep. Jesse Laslovich (D)
Rep. Trudi Schmidt (D)
Rep. Butch Waddill (R)
Rep. Karl Waitschies (R)
Rep. David Wanzenried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Rhonda Van Meter, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 263, SB 281, SB 264,
3/20/2001

Executive Action: HB 534, HB 619, SB 264, SB 263

responsibility of the tax payer and the laws could be amended, but it would take more than this bill for the process.

REP. Andersen asked about the proposed payment with people paying the taxes. **SEN. MAHLUM** answered yes, that is the process.

REP. Andersen asked if an explanation would be given within the letter to an elderly property owner. **SEN. MAHLUM** stated that was the intent of the bill to offer notice to owners.

CHAIRMAN STORY referred to page four and asked about receiving a tax certificate and how they would know it wasn't the same person. **Robert Throssell** said it may be a possibility, but it doesn't usually occur.

Closing by Sponsor:

SEN. DALE MAHLUM, SD 35, MISSOULA, felt this bill would offer homeowners of the property be subject to tax sales. He said this legislation was a relief tax.

HEARING ON SB 264

Sponsor: **SEN. MIGNON WATERMAN, SD 26, HELENA**

Proponents: **Dan Anderson, Administrator, Addiction & Mental Disorders, DPHHS**
Christie Blazer, MT. Addiction Service Providers
Bill Kennedy, Yellowstone County Commissioner

Opponents: **None**

Opening Statement by Sponsor:

SEN. MIGNON WATERMAN, SD 26, HELENA, said this bill dealt with issues of clarifying alcohol taxes. She explained the alcohol tax funds and how they would be used, allowing to increase funds for treatment. She stated it would allow for the matching of medicaid tax dollars increasing the funds.

Proponents' Testimony:

Dan Anderson, Administrator, Addiction & Mental Disorders, DPHHS, presented a testimony **EXHIBIT(tah65a05)**.

{Tape 2; Side B}

Christie Blazer, MT. Addiction Service Providers, explained the treatment programs and people involved with the programs. She said alcohol excise money has funded the programs since 1977.

Bill Kennedy, Yellowstone County Commissioner, supported this bill and felt this legislation would offer the treatment needed to people. He explained the funds coming into the county and how it was distributed among the programs.

Opponents' Testimony: None

Questions from Committee Members and Responses:

REP. ERICKSON asked if anyone would lose from this legislation. **SEN. WATERMAN** said there was no indication of a decline and there would be winners with this bill.

REP. ERICKSON asked why there would be a termination date. **SEN. WATERMAN** said it is a time frame for the programs to be working.

REP. JESSE LASLOVICH wondered about exceeding \$1.3 million. **Dan Anderson** explained the sentence he was referring to and the biennium levels. He said the \$1.3 million was the amount used for specific pilot programs and comes from HB 2.

REP. ROGER SOMERVILLE referred to Section four and asked about non-profit programs. **SEN. WATERMAN** said they were not eliminated and all of the programs would fall under private or public programs.

REP. BALYEAT wondered about the language pertaining to private or public. He asked if this bill did not pass, where would the money go. **Dan Anderson** said the trade off goes beyond the bill and the intent is for medicaid. He emphasized the treatment programs involved and there was a large number of people eligible for medicaid.

REP. Waddill asked if there would be any conflict with HB 317. **SEN. WATERMAN** thought it wouldn't effect this legislation.

REP. BALES asked how much was being received into the counties from the last biennium. **Dan Anderson** said in 1999 it was \$1.3 million per year and last year was \$1 million and projected for this fiscal year is \$1.4 million.

REP. BALES asked if there would be a cut of \$1.7 million. **Dan Anderson** said there would be a reduction of .7 for the biennium.

REP. JOHN ESP asked if there was already a process in place. Dan Anderson answered there was a process and he explained the program.

REP. ESP referred to lines 20 and 21 and asked about the programs. Dan Anderson said there shouldn't be any reason to mention private or public.

REP. ESP asked if some of the \$1.3 million would benefit the counties. Dan Anderson answered yes, it would provide services for medicaid recipients.

CHAIRMAN STORY asked if the counties were okay with the matching program. Bill Kennedy answered yes and explained issues dealing with this.

CHAIRMAN STORY asked if this money comes over a period of time and how the finances would work in this biennium. Bill Kennedy said there were funds available in the budget to distribute. He explained the funds during a fiscal year.

CHAIRMAN STORY asked if any state approved programs were out of state. Dan Anderson answered no.

REP. KARL WAITSCHIES asked why non-profit organizations are provided. Dan Anderson could not answer the question.

{Tape 3; Side A}

REP. FORRESTER asked how much the administration would charge. Dan Anderson said it was approximately \$100,000.

REP. FORRESTER asked if this bill would be earmarking accounts. SEN. WATERMAN didn't think so.

CHAIRMAN STORY asked about the programs and money being spent only on alcohol treatment. Christie Blazer said this bill would broaden the issue.

Closing by Sponsor:

SEN. MIGNON WATERMAN, SD 26, HELENA, clarified definitions and where the money would be distributed. She explained the funding from existing treatment programs and said the language within the amendment were stating a minimum. She stated the funds are available for the treatment of these illnesses and how this bill was needed.

Motion/Vote: REP. ERICKSON moved HB 534 DO PASS AS AMENDED.
Motion carried 11-9 with REP. SOMERVILLE, REP. ANDERSEN, REP.
BALES, REP. BALYEAT, REP. DEVLIN, REP. ESP, REP. FUCHS, REP.
WAITSCHIES and CHAIRMAN STORY voting no.

{Tape 3; Side B}

EXECUTIVE ACTION ON HB 619

Motion: REP. WADDILL moved HB 619 BE AMENDED. Amendments were
presented to the committee EXHIBIT(tah65a09).

Discussion:

REP. WADDILL clarified the amendments. Jeff Martin said these
amendments were similar to the first set sent around. He
explained the cost involved of historical property.

REP. BALYEAT opposed the amendment and stated the percent
involved.

REP. ERICKSON wondered about 29 years being the time frame.

Vote: Motion carried unanimously.

Motion/Vote: REP. WADDILL moved HB 619 DO PASS AS AMENDED. Motion
carried 13-6 with REP. SOMERVILLE, REP. ANDERSEN, REP. BALES,
REP. BALYEAT, REP. DEVLIN and CHAIRMAN STORY voting no.

EXECUTIVE ACTION ON SB 264

Motion: REP. ESP moved SB 264 BE AMENDED. Amendments were handed
out EXHIBIT(tah65a10).

Vote: Motion carried 19-1 with REP. SOMERVILLE voting no.

Motion: REP. LASLOVICH moved SB 264 BE CONCURRED IN AS AMENDED.

Discussion:

REP. ESP referred to page two and asked if language should be
changed. Jeff Martin explained under the chapter all was
exclusive and what it referred to.

Vote: Motion carried 19-1 with REP. SOMERVILLE voting no.